



Attorney's Docket No.: 42390P9758

Patent

In re the Application of: Guei-Yuan Lueh, et al.  
(inventor(s))

Application No.: 09/821,640

Filed: March 29, 2001

For: Method and System of Controlling Dynamically Compiled Native Code Size

(title)

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

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JUL 29 2004

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SIR: Transmitted herewith is an Amendment for the above-referenced application.

Applicant claims small entity status. See 37 CFR 1.27.

No additional fee is required.

The fee has been calculated as shown below:

|  | (Col. 1)                          |       | (Col. 2)                              | (Col. 3)         |
|--|-----------------------------------|-------|---------------------------------------|------------------|
|  | Claims<br>Remaining<br>After Amd. |       | Highest No.<br>Previously<br>Paid For | Present<br>Extra |
| Total<br>Claims  | * 28                              | Minus | ** 24                                 | 4                |
| Indep.<br>Claims   | * 4                               | Minus | *** 3                                 | 1                |
| <b>First Presentation of Multiple<br/>Dependent Claim(s)</b> |                                   |       |                                       |                  |

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

| SMALL ENTITY      |                   |
|-------------------|-------------------|
| Rate              | Additional<br>Fee |
| X9                | \$                |
| X43               | \$                |
| +145              | \$                |
| Total<br>Add. Fee | \$                |

| OTHER THAN A<br>SMALL ENTITY |                   |
|------------------------------|-------------------|
| Rate                         | Additional<br>Fee |
| X18                          | \$ 72.00          |
| X86                          | \$ 86.00          |
| +290                         | \$                |
| Total<br>Add. Fee            | \$ 158.00         |

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Mail Stop Non Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

on July 22, 2004  
Date of Deposit

Debbie Peloquin

Name of Person Mailing Correspondence

Debbie Peloquin  
Signature

July 22, 2004  
Date

Docket No.: 42390P9758  
Application No.: 09/821,640

\_\_\_\_\_ A check in the amount of \$ 158.00 is attached for presentation of additional claim(s).  
\_\_\_\_\_ Applicant(s) hereby Petition(s) for an Extension of Time of \_\_\_\_\_ month(s) pursuant to  
37 C.F.R. § 1.136(a).

\_\_\_\_\_ A check for \$ \_\_\_\_\_ is attached for processing fees under 37 C.F.R. § 1.17.

\_\_\_\_\_ Please charge my Deposit Account No. 02-2666 the amount of \$ \_\_\_\_\_.

**A duplicate copy of this sheet is enclosed.**

X The Under Secretary of Commerce for Intellectual Property and Director of the United States  
Patent and Trademark Office is hereby authorized to charge payment of the following fees  
associated with this communication or credit any overpayment to Deposit Account No. 02-2666  
**(a duplicate copy of this sheet is enclosed):**

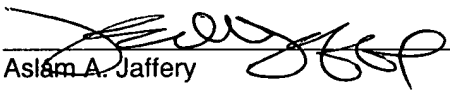
X Any additional filing fees required under 37 C.F.R. § 1.16 for presentation of  
extra claims.

X Any extension or petition fees under 37 C.F.R. § 1.17.

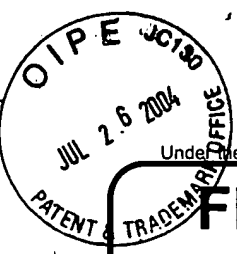
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: July 22, 2004

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Aslam A. Jaffery

Reg. No. 51,841



3622124  
41

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 158.00

## Complete if Known

|                      |                      |
|----------------------|----------------------|
| Application Number   | 09/821,640           |
| Filing Date          | July 21, 2000        |
| First Named Inventor | Daniele Levy, et al. |
| Examiner Name        | Felten, Daniel S.    |
| Art Unit             | 3624                 |
| Attorney Docket No.  | 3801P004X            |

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## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 02-2666  
Deposit Account Name:

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity  | Small Entity  | Fee Description        | Fee Paid |
|---------------|---------------|------------------------|----------|
| Fee Code (\$) | Fee Code (\$) |                        |          |
| 1001 770      | 2001 385      | Utility filing fee     |          |
| 1002 340      | 2002 170      | Design filing fee      |          |
| 1003 530      | 2003 265      | Plant filing fee       |          |
| 1004 770      | 2004 385      | Reissue filing fee     |          |
| 1005 160      | 2005 80       | Provisional filing fee |          |
| SUBTOTAL (1)  |               | (\$ )                  |          |

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims:  - 20\*\* =  X  =   
Independent Claims:  - 3\*\* =  X  =   
Multiple Dependent:  =

| Large Entity  | Small Entity  | Fee Description  |
|---------------|---------------|--|
| Fee Code (\$) | Fee Code (\$) |  |
| 1202 18       | 2202 9        | Claims in excess of 20                                     |
| 1201 86       | 2201 43       | Independent claims in excess of 3                          |
| 1203 290      | 2203 145      | Multiple dependent claim, if not paid                      |
| 1204 86       | 2204 43       | ** Reissue independent claims over original patent         |
| 1205 18       | 2205 9        | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ )

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity  | Small Entity  | Fee Description  | Fee Paid |
|---|---------------|--|----------|
| Fee Code (\$)   | Fee Code (\$) |  |          |
| 1051 130  | 2051 65       | Surcharge - late filing fee or oath  |          |
| 1052 50   | 2052 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053 130  | 1053 130      | Non-English specification  |          |
| 1812 2,520  | 1812 2,520    | For filing a request for ex parte reexamination                            |          |
| 1804 920*   | 1804 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805 1,840*   | 1805 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251 110  | 2251 55       | Extension for reply within first month                                     |          |
| 1252 420  | 2252 210      | Extension for reply within second month                                    |          |
| 1253 950  | 2253 475      | Extension for reply within third month                                     |          |
| 1254 1,480  | 2254 740      | Extension for reply within fourth month                                    |          |
| 1255 2,010  | 2255 1,005    | Extension for reply within fifth month                                     |          |
| 1401 330  | 2401 165      | Notice of Appeal   |          |
| 1402 330  | 2402 165      | Filing a brief in support of an appeal                                     |          |
| 1403 290  | 2403 145      | Request for oral hearing   |          |
| 1451 1,510  | 1451 1,510    | Petition to institute a public use proceeding                              |          |
| 1452 110  | 2452 55       | Petition to revive - unavoidable   |          |
| 1453 1,330  | 2453 665      | Petition to revive - unintentional   |          |
| 1501 1,330  | 2501 665      | Utility issue fee (or reissue)   |          |
| 1502 480  | 2502 240      | Design issue fee   |          |
| 1503 640  | 2503 320      | Plant issue fee  |          |
| 1460 130  | 1460 130      | Petitions to the Commissioner  |          |
| 1807 50   | 1807 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806 180  | 1806 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021 40   | 8021 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809 770  | 2809 385      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810 770  | 2810 385      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801 770  | 2801 385      | Request for Continued Examination (RCE)                                    |          |
| 1802 900  | 1802 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify) _ Presentation of additional claims |               |  | 158.00   |
| *Reduced by Basic Filing Fee Paid                       |               |  |          |
| SUBTOTAL (3)  |               | (\$ ) 158.00   |          |

## SUBMITTED BY

(Complete if applicable)

|                   |                  |                                   |               |           |              |
|-------------------|------------------|-----------------------------------|---------------|-----------|--------------|
| Name (Print/Type) | Aslam A. Jaffery | Registration No. (Attorney/Agent) | 51,841        | Telephone | 303-740-1980 |
| Signature         |                  | Date                              | July 22, 2004 |           |              |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Our Docket No: 42390P9758

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )

Guei-Yuan Lueh, et al. )

Application No: 09/821,640 )

Filed: March 29, 2001 )

For: Method and System of Controlling )  
Dynamically Compiled Native )  
Code Size )

Examiner: Kang, Insun

Art Unit: 2641

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JUL 29 2004

Technology Center 2100

RESPONSE TO OFFICE ACTION

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed April 22, 2004, Applicants respectfully request the Examiner to enter the following amendments and to consider the following remarks.

**FIRST CLASS CERTIFICATE OF MAILING**

I hereby certify that I am causing the above-referenced correspondence to be deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and that this paper or fee has been addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: July 22, 2004

Name of Person Mailing Correspondence: Debbie Peloquin

Debbie Peloquin  
Signature

July 22, 2004  
Date

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Application No.: 09/821,640

07/27/2004 CCH:111 00000010 09821640  
72.00 00  
86.00 00  
01 FC:1202  
02 FC:1201